

NICHOLAS A. TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
CHRISTOPHER LIN
Assistant United States Attorney
501 Las Vegas Boulevard South
Suite 1100
Las Vegas, Nevada 89101
702-388-6336
christopher.lin@usdoj.gov

Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN MILES ALLISON,
a/k/a ALLISON MOORE,
a/k/a KYLE DWAYNE BUTLER,
a/k/a ANTHONY DAVID CORAL,
a/k/a MATTHEW PETERSON,
a/k/a DANIEL DEGAN,
a/k/a JAMES GIBSON,
a/k/a ALEX JOSEPH,

Defendant.

Case No. 2:20-mj-00612-EJY

**Stipulation to Continue the Preliminary
Examination Date and Exclude Time Under
the Speedy Trial Act
(Fourth Request)**

IT IS HEREBY STIPULATED AND AGREED by and between, Nicholas A.

Trutanich, United States Attorney, District of Nevada, Christopher Lin, Assistant United States Attorney, representing the United States of America, and Robert M. Draskovich, Esq., representing Defendant John Miles Allison, that the Preliminary Examination date in the above captioned case, which is currently scheduled for November 9, 2020 at 4:00 P.M., be continued to a date and time convenient for the Court but not less than 30 days from the current setting. The parties also stipulate to an extension of (1) the 30-day period under 18 U.S.C. § 3161(b) in which

1 an indictment or information must be returned, and (2) the 90-day period under 18 U.S.C. §
2 3164(b) for commencing trial for a detained defendant.

3 1. Based on the public health emergency brought about by the COVID-2019 pandemic, the
4 required social-distancing measures as recognized in the Temporary General Orders, and
5 the need for additional time to prepare the defense, both during the public health
6 emergency and once the public health emergency is resolved, the parties agree to
7 continue the currently scheduled Preliminary Examination on October 13, 2020, to a
8 date and time convenient for the Court, but not less than 30 days from the current
9 settings.

10 2. This continuance is not sought for purposes of delay, but to account for the necessary
11 social-distancing in light of the COVID-2019 public health emergency, and to allow the
12 defense adequate time to prepare during the public health emergency and following its
13 resolution.

14 3. Denial of this request could result in a miscarriage of justice, and the ends of justice
15 served by granting this request outweigh the best interests of the public and the defendant
16 in a speedy trial.

17 4. The defendant is incarcerated but does not object to the continuance.

18 5. This is the parties' fourth request to continue the Preliminary Examination date.

19 / / /
20
21
22
23
24

6. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

DATED this 5th day of November, 2020.

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Christopher Lin
CHRSTIOPHER LIN
Assistant United States Attorney

/s/ Robert Draskovich
ROBERT M. DRASKOVICH
Counsel for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Case No. 2:20-mj-00612-EJY

Plaintiff,

Findings and Order on Stipulation

V.

JOHN MILES ALLISON,

a/k/a ALLISON MOORE,

a/k/a KYLE DWAYNE BUTLER,

a/k/a ANTHONY DAVID CORAL,

a/k/a MATTHEW PETERSON,

a/k/a DANIEL DEGAN,

a/k/a JAMES GIBSON,

a/k/a ALEX JOSEPH,

Defendant.

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. To account for the necessary social-distancing in light of the COVID-2019 public health emergency and to allow the defense adequate time to prepare during and following the resolution of this public health emergency, the Preliminary Examination date in this case should be continued.
2. The parties agree to this continuance.
3. The defendant is incarcerated but does not object to the continuance.
4. This continuance is not sought for purposes of delay.
5. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendants in a speedy trial.
6. The Speedy Trial Act's indictment clock under 18 U.S.C. § 3161(b) is extended to the Preliminary Hearing date set below.

1 7. The additional time requested by this stipulation is excludable in computing the time
2 within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United
3 States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United
4 States Code, Section 3161(h)(7)(B)(i) and (iv).

5 THEREFORE, IT IS HEREBY ORDERED that the Preliminary Examination in the
6 above-captioned matter currently scheduled for November 9, 2020 be vacated and continued to
7 December 9, 2020, at the hour of 4:00 P.M., in Courtroom 3D.

8 DATED this 5th day of November 2020.

9
10 
11 HONORABLE ELANYA J. YOUCHAH
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24